

EXHIBIT 1

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Mark: IN-N-OUT

IN-N-OUT

US Serial Number: 73133175

Application Filing Date: Jul. 07, 1977

US Registration Number: 1085163

Registration Date: Feb. 07, 1978

Register: Principal

Mark Type: Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Dec. 06, 2017

Mark Information

Mark Literal Elements: IN-N-OUT

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Related Properties Information

Claimed Ownership of US Registrations: 1031095, 1031096, 1023506

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: RESTAURANT SERVICES AND CARRY-OUT RESTAURANT SERVICES

International Class(es): 042 - Primary Class

U.S Class(es): 100

Class Status: ACTIVE

First Use: 1949

Use in Commerce: 1949

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44D: No

Filed 44E: No

Currently 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: IN-N-OUT BURGERS**Owner Address:** 4199 CAMPUS DRIVE, SUITE 900
IRVINE, CALIFORNIA UNITED STATES 92612**Legal Entity Type:** CORPORATION**State or Country** CALIFORNIA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: ARNOLD M WENSINGER**Attorney Primary** vsarigumba@innout.com
Email Address:**Attorney Email** Yes
Authorized:

Correspondent

Correspondent ARNOLD M WENSINGER
Name/Address: IN-N-OUT BURGERS
4199 CAMPUS DR STE 900
IRVINE, CALIFORNIA UNITED STATES 92612**Phone:** 9495096289**Correspondent e-mail:** vsarigumba@innout.com rblake@innout.com**Correspondent e-mail** Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 04, 2018	NOTICE OF SUIT	
Mar. 05, 2018	NOTICE OF SUIT	
Dec. 06, 2017	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Dec. 06, 2017	REGISTERED AND RENEWED (THIRD RENEWAL - 10 YRS)	
Dec. 06, 2017	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Dec. 05, 2017	TEAS SECTION 8 & 9 RECEIVED	
Mar. 16, 2017	NOTICE OF SUIT	
Mar. 16, 2017	NOTICE OF SUIT	
Feb. 16, 2017	NOTICE OF SUIT	
Feb. 16, 2017	NOTICE OF SUIT	
Sep. 19, 2012	NOTICE OF SUIT	
Jun. 21, 2010	NOTICE OF SUIT	
Jul. 01, 2008	NOTICE OF SUIT	
Jun. 25, 2008	NOTICE OF SUIT	
Jun. 16, 2008	NOTICE OF SUIT	
Jun. 02, 2008	NOTICE OF SUIT	
May 20, 2008	NOTICE OF SUIT	
Dec. 04, 2007	CASE FILE IN TICRS	
Jun. 10, 2007	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	
Jun. 10, 2007	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
May 23, 2007	ASSIGNED TO PARALEGAL	
Apr. 23, 2007	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Apr. 23, 2007	PAPER RECEIVED	
Oct. 30, 1997	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Sep. 25, 1997	REGISTERED - SEC. 9 FILED/CHECK RECORD FOR SEC. 8	
Sep. 25, 1997	REGISTERED - SEC. 9 FILED/CHECK RECORD FOR SEC. 8	
Nov. 01, 1983	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	

TM Staff and Location Information

TM Staff Information - None**File Location**

Current Location: GENERIC WEB UPDATE

Date in Location: Dec. 06, 2017

Proceedings

Summary

Number of 13
Proceedings:

Type of Proceeding: Opposition

Proceeding [91252096](#)
Number:

Filing Date: Nov 06, 2019

Status: Terminated

Status Date: Feb 26, 2020

Interlocutory MIKE WEBSTER
Attorney:

Defendant

Name: WinIT proposals, LLC

Correspondent SHERRI E BIANCO
Address: 11314 KINGS VALLEY DRIVE
DAMASCUS MD UNITED STATES , 20872

Correspondent e-mail: winit.proposals@gmail.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
IN & OUT GRAPHIX		88333837	

Plaintiff(s)

Name: In-N-Out Burgers

Correspondent VALERIE SARIGUMBA
Address: 4199 CAMPUS DRIVE 9TH FLOOR
IRVINE CA UNITED STATES , 92612

Correspondent e-mail: vsarigumba@innout.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
IN-N-OUT		75137201	2285823
IN-N-OUT		73133175	1085163
IN-N-OUT		73133174	1101638
IN-N-OUT		73133176	1101628
IN-N-OUT		75396996	2217307
IN-N-OUT		73738305	1522799
IN-N-OUT		73738306	1525982
IN-N-OUTBURGER		75158254	2285842

Prosecution History

Entry Number	History Text	Date	Due Date
7	TERMINATED	Feb 26, 2020	
6	BD DECISION: OPP SUSTAINED	Feb 26, 2020	
5	W/DRAW OF APPLICATION W/O CONSENT	Feb 17, 2020	
4	ANSWER	Nov 24, 2019	
3	INSTITUTED	Nov 06, 2019	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 06, 2019	Dec 16, 2019
1	FILED AND FEE	Nov 06, 2019	

Type of Proceeding: Opposition

Proceeding [91217195](#)
Number:

Filing Date: May 30, 2014

Status: Terminated

Status Date: Sep 23, 2014

Interlocutory Attorney: ROBERT COGGINS

Defendant

Name: IN-N-OUT Grooming

Correspondent Address: IN-N-OUT GROOMING
7300 BROMPTON ST , APT 4723
HOUSTON TX UNITED STATES , 77025-2166

Correspondent e-mail: Josh.Mica@gmail.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
IN-N-OUT GROOMING		85934540	

Plaintiff(s)

Name: In-N-Out Burgers

Correspondent Address: VALERIE SARIGUMBA
IN-N-OUT BURGERS
4199 CAMPUS DR, 9TH FLOOR
IRVINE CA UNITED STATES , 92612

Correspondent e-mail: vsarigumba@innout.com , rblake@innout.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
IN-N-OUT		73133175	1085163
IN-N-OUT		73738305	1522799
IN-N-OUT		73738306	1525982
IN-N-OUT		73133176	1101628
IN-N-OUT		73133174	1101638
IN-N-OUT		75396996	2217307
IN-N-OUT BURGER		73724456	1514689
IN-N-OUT BURGER		74622923	1960015

Prosecution History

Entry Number	History Text	Date	Due Date
7	TERMINATED	Sep 23, 2014	
6	BD DECISION: DISMISSED W/O PREJ	Sep 23, 2014	
5	W/DRAW OF OPPOSITION	Sep 02, 2014	
4	W/DRAW OF APPLICATION	Aug 25, 2014	
3	PENDING, INSTITUTED	Jul 04, 2014	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 04, 2014	Aug 13, 2014
1	FILED AND FEE	May 30, 2014	

Type of Proceeding: Opposition

Proceeding Number: [91206796](#)

Filing Date: Aug 30, 2012

Status: Terminated

Status Date: Mar 01, 2014

Interlocutory Attorney: YONG OH (RICHARD) KIM

Defendant

Name: Ryan Markus

Correspondent Address: JEFFREY M FURR
FURR LAW FIRM
2622 DEBOLT ROAD
UTICA OH UNITED STATES , 43080 9604

Correspondent e-mail: JeffMFurr@FurrLawFirm.com , jeffmfurr@aol.com

Associated marks

Registration

Mark	Application Status	Serial Number	Number
IN AND OUT		85507551	
Plaintiff(s)			

Name: In-N-Out Burgers

Correspondent VALERIE SARIGUMBA

Address: IN N OUT BURGERS
4199 CAMPUS DRIVE, 9TH FLOOR
IRVINE CA UNITED STATES , 92612

Correspondent e-mail: bob@lauson.com , vsarigumba@innout.com , rblake@innout.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
IN-N-OUT		73133175	1085163
IN 'N' OUT		72389754	930203
IN-N-OUT		75396996	2217307
IN-N-OUT		75137201	2285823

Prosecution History

Entry Number	History Text	Date	Due Date
18	TERMINATED	Mar 01, 2014	
17	BD DECISION: DISMISSED W/O PREJ	Mar 01, 2014	
16	W/DRAW OF OPPOSITION	Feb 14, 2014	
15	W/DRAW OF APPLICATION	Feb 13, 2014	
14	TRIAL DATES RESET	Jan 30, 2014	
13	STIP FOR EXT	Jan 09, 2014	
12	SUSPENDED	Dec 18, 2013	
11	STIP FOR EXT	Nov 11, 2013	
10	SUSPENDED	Sep 17, 2013	
9	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Aug 14, 2013	
8	CONSOLIDATED - PARENT/TRIAL DATES RESET	Apr 23, 2013	
7	STIPULATION FOR AN EXTENSION OF TIME	Feb 04, 2013	
6	APPEARANCE	Oct 12, 2012	
5	D'S MOTION TO CONSOLIDATE	Oct 08, 2012	
4	ANSWER	Oct 08, 2012	
3	PENDING, INSTITUTED	Aug 30, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 30, 2012	Oct 09, 2012
1	FILED AND FEE	Aug 30, 2012	

Type of Proceeding: Opposition

Proceeding Number: [91206797](#)

Filing Date: Aug 30, 2012

Status: Terminated

Status Date: Mar 01, 2014

Interlocutory Attorney: YONG OH (RICHARD) KIM

Defendant

Name: Markus, Ryan

Correspondent JEFFREY M FURR

Address: FURR LAW FIRM
2622 DEBOLT RD
UTICA OH UNITED STATES , 43080-9604

Correspondent e-mail: JeffMFurr@FurrLawFirm.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
IN N OUT		85511776	
Plaintiff(s)			

Name: In-N-Out Burgers

Correspondent Address: VALERIE SARIGUEMBA
IN-N-OUT BURGERS
4199 CAMPUS DRIVE, 9TH FLOOR
IRVINE CA UNITED STATES , 92612

Correspondent e-mail: vsarigumba@innout.com , rblake@innout.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
IN-N-OUT		73133175	1085163
IN 'N' OUT		72389754	930203
IN-N-OUT		75396996	2217307
IN-N-OUT		75137201	2285823

Prosecution History

Entry Number	History Text	Date	Due Date
10	TERMINATED	Mar 01, 2014	
9	BD DECISION: DISMISSED W/O PREJ	Mar 01, 2014	
8	CONSOLIDATED - CHILD OF 91206797	Apr 23, 2013	
7	STIPULATION FOR AN EXTENSION OF TIME	Feb 04, 2013	
6	APPEARANCE	Oct 12, 2012	
5	D'S MOTION TO CONSOLIDATE	Oct 08, 2012	
4	ANSWER	Oct 08, 2012	
3	PENDING, INSTITUTED	Aug 30, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 30, 2012	Oct 09, 2012
1	FILED AND FEE	Aug 30, 2012	

Type of Proceeding: Opposition

Proceeding Number: [91196649](#)

Filing Date: Sep 28, 2010

Status: Terminated

Status Date: Sep 21, 2011

Interlocutory Attorney: MICHAEL B ADLIN

Defendant

Name: Cambrela, Inc.

Correspondent Address: MICHAEL FEDRICK
LOZA LOZA LLP
305 N 2ND AVE 127
UPLAND CA UNITED STATES , 91786 6064

Correspondent e-mail: mike@lozaip.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
IN AND OUT TRAFFIC SCHOOL		77857320	

Plaintiff(s)

Name: In-N-Out Burgers, a California Corporation

Correspondent Address: ROBERT J LAUSON
LAUSON TARVER LLP
880 APOLLO STREET , SUITE 301
EL SEGUNDO CA UNITED STATES , 90245

Correspondent e-mail: bob@lauson.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
IN-N-OUT		73133175	1085163
IN-N-OUT BURGER		75559057	2291183

IN & OUT	74323081	1780587
IN 'N' OUT	72389754	930203
IN-N-OUT	75396996	2217307
IN-N-OUT	75137201	2285823
IN-N-OUT BURGER FOUNDATION	75061338	2035491

Prosecution History

Entry Number	History Text	Date	Due Date
18	TERMINATED	Sep 21, 2011	
17	BD'S DECISION: DISMISSED W/O PREJUDICE	Sep 21, 2011	
16	STIP DISMISSAL WO PREJUDICE	Sep 20, 2011	
15	SUSPENDED	Jul 08, 2011	
14	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Jul 08, 2011	
13	RESPONSE DUE 30 DAYS (DUE DATE)	May 10, 2011	Jun 09, 2011
12	EXTENSION OF TIME GRANTED	Apr 14, 2011	
11	STIPULATION FOR AN EXTENSION OF TIME	Apr 14, 2011	
10	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	Mar 23, 2011	
9	CHANGE OF CORRESPONDENCE ADDRESS	Mar 11, 2011	
8	EXTENSION OF TIME GRANTED	Feb 11, 2011	
7	D'S MOTION FOR AN EXTENSION OF TIME	Feb 07, 2011	
6	CORRECTION TO BOARD'S ORDER	Nov 18, 2010	
5	ANSWER	Nov 05, 2010	
4	OPP'S MOTION TO CORRECT OPP'S NAME	Oct 22, 2010	
3	PENDING, INSTITUTED	Sep 28, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Sep 28, 2010	Nov 07, 2010
1	FILED AND FEE	Sep 28, 2010	

Type of Proceeding: Opposition

Proceeding Number: [91196420](#)

Filing Date: Sep 09, 2010

Status: Terminated

Status Date: Dec 15, 2010

Interlocutory Attorney: MICHAEL B ADLIN

Defendant

Name: Medidenta International, Inc.

Correspondent OLIVER R CHERNIN

Address: MCLAUGHLIN & STERN LLP
260 MADISON AVENUE
NEW YORK NY UNITED STATES , 10016

Correspondent e-mail: ochernin@mclaughlinstern.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
IN N OUT HANDPIECE REPAIR SERVICE		77962708	

Plaintiff(s)

Name: In-N-Out Burger, Inc.

Correspondent EDWIN TARVER

Address: LAUSON & TARVER LLP
880 APOLLO STREET , SUITE 301
EL SEGUNDO CA UNITED STATES , 90245

Correspondent e-mail: Bob@lauson.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
IN-N-OUT		73133175	1085163

Prosecution History

Entry Number	History Text	Date	Due Date
15	TERMINATED	Dec 15, 2010	
14	BD'S DECISION: DISMISSED W/ PREJUDICE	Dec 15, 2010	
13	WITHDRAWAL OF OPPOSITION	Dec 09, 2010	
12	RESPONSE DUE 30 DAYS (DUE DATE)	Dec 08, 2010	Jan 07, 2011
11	MOTION TO AMEND APPLICATION	Nov 22, 2010	
10	MOTION TO AMEND APPLICATION	Nov 22, 2010	
9	SUSPENDED	Nov 18, 2010	
8	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Nov 18, 2010	
7	EXTENSION OF TIME GRANTED	Oct 27, 2010	
6	STIPULATION FOR AN EXTENSION OF TIME	Oct 15, 2010	
5	CHANGE OF CORRESPONDENCE ADDRESS	Sep 22, 2010	
4	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Sep 22, 2010	
3	PENDING, INSTITUTED	Sep 09, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Sep 09, 2010	Oct 19, 2010
1	FILED AND FEE	Sep 09, 2010	

Type of Proceeding: Opposition

Proceeding Number: [91188062](#)

Filing Date: Dec 17, 2008

Status: Terminated

Status Date: Mar 23, 2009

Interlocutory Attorney: ANGELA LYKOS

Defendant

Name: GREAT BUYS, INC.

Correspondent Address: GREGG ZEGARELLI
ZEGARELLI LAW GROUP
429 FORBES AVE STE 1212
PITTSBURGH PA UNITED STATES , 15219-1625

Correspondent e-mail: mailroom.grz@zegarelli.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
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INOUT DEALS

[77475624](#)

Plaintiff(s)

Name: In-N-Out Burgers

Correspondent Address: Margaret Niver McGann
Parsons Behle & Latimer
201 South Main Street, Suite 1800
Salt Lake City UT UNITED STATES , 84111

Correspondent e-mail: mmcgann@parsonsbehle.com , cjohns@parsonsbehle.com , jwhite@parsonsbehle.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
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IN-N-OUT

[73133176](#)

[1101628](#)

IN-N-OUT

[73133175](#)

[1085163](#)

IN-N-OUT

[73133174](#)

[1101638](#)

IN-N-OUT

[75396996](#)

[2217307](#)

IN-N-OUT

[75137201](#)

[2285823](#)

IN 'N' OUT

[72389754](#)

[930203](#)

IN-N-OUT BURGER

[74622923](#)

[1960015](#)

Prosecution History

Entry Number	History Text	Date	Due Date
7	TERMINATED	Mar 23, 2009	
6	BOARD'S DECISION: SUSTAINED	Mar 23, 2009	

5	ABANDONMENT	Mar 20, 2009	
4	ANSWER	Jan 14, 2009	
3	PENDING, INSTITUTED	Dec 17, 2008	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Dec 17, 2008	Jan 26, 2009
1	FILED AND FEE	Dec 17, 2008	

Type of Proceeding: Opposition

Proceeding Number: [91186958](#)

Filing Date: Oct 14, 2008

Status: Terminated

Status Date: Sep 16, 2009

Interlocutory Attorney: CHERYL S GOODMAN

Defendant

Name: Obadia Alain

Correspondent Address: Leonard Budow
Leonard N Budow PC
Ste 4613 350 5th Avenue
New York NY UNITED STATES , 10118-4613

Correspondent e-mail: lb@budowlaw.us

Associated marks

Mark	Application Status	Serial Number	Registration Number
IN & OUT		77283492	

Plaintiff(s)

Name: In-N-Out Burgers

Correspondent Address: Ariana Gallisa
Pillsbury Winthrop Shaw Pittman LLP
P.O. Box 7780, Calendar/Docketing Dept.
San Francisco CA UNITED STATES , 94120-7880

Correspondent e-mail: sftrademarks@pillsburylaw.com , ariana.gallisa@pillsburylaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
IN-N-OUT		73133175	1085163
IN-N-OUT		73133176	1101628
IN-N-OUT		73133174	1101638
IN-N-OUT		73738305	1522799
IN-N-OUT		73738306	1525982
IN-N-OUT		75396996	2217307
IN-N-OUT		75137201	2285823
IN 'N' OUT		72389754	930203
ENTRADA-Y-SALIDA		74599705	2048138

Prosecution History

Entry Number	History Text	Date	Due Date
13	TERMINATED	Sep 16, 2009	
12	BOARD'S DECISION: SUSTAINED	Sep 16, 2009	
11	WITHDRAWAL OF APPLICATION	Sep 15, 2009	
10	CHANGE OF CORRESPONDENCE ADDRESS	Aug 21, 2009	
9	APPEARANCE	Aug 21, 2009	
8	SUSPENDED	Jul 07, 2009	
7	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Jul 07, 2009	
6	ANSWER	Jan 20, 2009	
5	EXTENSION OF TIME GRANTED	Oct 24, 2008	
4	STIPULATION FOR AN EXTENSION OF TIME	Oct 24, 2008	
3	PENDING, INSTITUTED	Oct 14, 2008	

2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 14, 2008	Nov 23, 2008
1	FILED AND FEE	Oct 14, 2008	

Type of Proceeding: Opposition

Proceeding Number: [91186018](#)

Filing Date: Aug 16, 2008

Status: Terminated

Status Date: May 28, 2009

Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: Brian Quaglia and Sandra Quaglia

Correspondent Address: Brian Quaglia
77 Peck Street
Rehoboth MA UNITED STATES , 02886

Associated marks

Mark	Application Status	Serial Number	Registration Number
IN & OUT		76687302	

Plaintiff(s)

Name: In-N-Out Burgers

Correspondent Address: Edward O. Ansell
Law Office of Edward O. Ansell
427 N. Yale Avenue, Suite 204
Claremont CA UNITED STATES , 91711

Correspondent e-mail: anselaw@verizon.net

Associated marks

Mark	Application Status	Serial Number	Registration Number
IN-N-OUT		75137201	2285823
IN-N-OUT BURGER		73724456	1514689
IN-N-OUT BURGER		74622923	1960015
IN-N-OUT		73133175	1085163
IN-N-OUT		73738305	1522799
IN-N-OUT		73738306	1525982
IN-N-OUT		73133176	1101628
IN-N-OUT		73133174	1101638
IN-N-OUT		75396996	2217307

Prosecution History

Entry Number	History Text	Date	Due Date
18	TERMINATED	May 28, 2009	
17	BOARD'S DECISION: SUSTAINED	May 28, 2009	
16	COPY #15	May 26, 2009	
15	WITHDRAWAL OF APPLICATION	May 21, 2009	
14	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	May 05, 2009	
13	P'S MOTION FOR SUMMARY JUDGMENT	Apr 28, 2009	
12	D'S UNDELIVERABLE MAIL	Apr 13, 2009	
11	P'S RESPONSE TO BOARD ORDER/INQUIRY	Apr 09, 2009	
10	TRIAL DATES SET	Apr 03, 2009	
9	COPY #8 W/CERTIFICATE OF SERVICE	Apr 01, 2009	
8	P'S MOTION TO JOIN INDISPENSIBLE PARTY	Mar 30, 2009	
7	TRIAL DATES RESET	Mar 13, 2009	
6	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Oct 10, 2008	
5	P'S OPPOSITION/RESPONSE TO MOTION	Sep 26, 2008	
4	ANSWER	Sep 15, 2008	
3	PENDING, INSTITUTED	Aug 26, 2008	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 26, 2008	Oct 05, 2008

1

FILED AND FEE

Aug 16, 2008

Type of Proceeding: Opposition**Proceeding Number:** [91183888](#)**Filing Date:** May 05, 2008**Status:** Terminated**Status Date:** Jun 13, 2013**Interlocutory Attorney:** ANN LINNEHAN VOGLER**Defendant****Name:** Fast Lane Car Wash & Lube, L.L.C.**Correspondent Address:** RICHARD L SCHNAKE
THE LAW FIRM OF NEALE & NEWMAN LLP
PO BOX 10327
SPRINGFIELD MO UNITED STATES , 65808-0327**Correspondent e-mail:** DWooten@nnlaw.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
IN & OUT CAR WASH		77234104	

Plaintiff(s)**Name:** In-N-Out Burgers**Correspondent Address:** ROBERT J LAUSON
LAUSON AND TARVER LLP
880 APOLLO STREET, SUITE 301
EL SEGUNDO CA UNITED STATES , 90245**Correspondent e-mail:** bob@lauson.com , edwin@lauson.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
IN-N-OUT		73133175	1085163
IN-N-OUT		73738305	1522799
IN-N-OUT		73738306	1525982
IN-N-OUT		73133176	1101628
IN-N-OUT		73133174	1101638
IN-N-OUT		75396996	2217307
IN-N-OUT BURGER		73724456	1514689
IN-N-OUT BURGER		74622923	1960015
IN-N-OUT BURGER		76669013	3367471

Prosecution History

Entry Number	History Text	Date	Due Date
84	TERMINATED	Jun 13, 2013	
83	BD DECISION: DISMISSED	Mar 14, 2013	
82	DEFENDANT'S NOTICE OF RELIANCE EXHIBITS	Nov 07, 2011	
81	DEFENDANT'S NOTICE OF RELIANCE EXHIBITS	Nov 07, 2011	
80	DEFENDANT'S NOTICE OF RELIANCE EXHIBITS	Nov 07, 2011	
79	DEFENDANT'S NOTICE OF RELIANCE EXHIBITS	Nov 07, 2011	
78	DEFENDANT'S NOTICE OF RELIANCE EXHIBITS	Nov 07, 2011	
77	DEFENDANT'S NOTICE OF RELIANCE EXHIBITS 862-879	Nov 07, 2011	
76	SUBMITTED ON BRIEF	Apr 11, 2012	
75	PLAINTIFF'S NOTICE OF RELIANCE	Apr 04, 2012	
74	P'S REBUTTAL BRIEF	Apr 02, 2012	
73	FINAL BRIEF ON MERITS FOR DEFENDANT(S)	Mar 16, 2012	
72	BRIEF ON MERITS FOR PLAINTIFF	Feb 14, 2012	
71	P'S NOTICE OF TAKING TESTIMONY	Feb 07, 2012	
70	PLAINTIFF'S NOTICE OF RELIANCE	Jan 03, 2012	

69	PLAINTIFF'S NOTICE OF RELIANCE	Dec 28, 2011	
68	PLAINTIFF'S NOTICE OF RELIANCE	Dec 16, 2011	
67	PLAINTIFF'S NOTICE OF RELIANCE	Dec 28, 2011	
66	DEFENDANT'S NOTICE OF RELIANCE	Nov 07, 2011	
65	DEFENDANT'S NOTICE OF RELIANCE	Nov 07, 2011	
64	DEFENDANT'S NOTICE OF RELIANCE	Nov 07, 2011	
63	DEFENDANT'S NOTICE OF RELIANCE	Nov 07, 2011	
62	DEFENDANT'S NOTICE OF RELIANCE	Nov 07, 2011	
61	DEFENDANT'S NOTICE OF RELIANCE	Nov 07, 2011	
60	DEFENDANT'S NOTICE OF RELIANCE	Nov 07, 2011	
59	TESTIMONY FOR DEFENDANT	Nov 18, 2011	
58	TESTIMONY FOR DEFENDANT	Nov 18, 2011	
57	P'S REBUTTAL PRETRIAL DISCLOSURES	Nov 17, 2011	
56	D'S NOTICE OF DEPOSITIONS	Oct 21, 2011	
55	D'S PRETRIAL DISCLOSURES	Sep 16, 2011	
54	PLAINTIFF'S NOTICE OF RELIANCE	Sep 09, 2011	
53	PLAINTIFF'S NOTICE OF RELIANCE	Sep 09, 2011	
52	EXTENSION OF TIME GRANTED	Jun 17, 2011	
51	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	Jun 17, 2011	
50	EXTENSION OF TIME GRANTED	May 19, 2011	
49	STIPULATION FOR AN EXTENSION OF TIME	May 19, 2011	
48	EXTENSION OF TIME GRANTED	Apr 11, 2011	
47	STIPULATION FOR AN EXTENSION OF TIME	Apr 11, 2011	
46	EXTENSION OF TIME GRANTED	Mar 17, 2011	
45	STIPULATION FOR AN EXTENSION OF TIME	Mar 17, 2011	
44	BOARD'S ORDER TRIAL DATES REMAIN AS PREVIOUSLY SET	Feb 28, 2011	
43	APPEARANCE	Feb 25, 2011	
42	EXTENSION OF TIME GRANTED	Feb 18, 2011	
41	STIPULATION FOR AN EXTENSION OF TIME	Feb 18, 2011	
40	EXTENSION OF TIME GRANTED	Jan 19, 2011	
39	STIPULATION FOR AN EXTENSION OF TIME	Jan 19, 2011	
38	EXTENSION OF TIME GRANTED	Oct 28, 2010	
37	STIPULATION FOR AN EXTENSION OF TIME	Oct 28, 2010	
36	D'S MOTION TO CONDUCT DEPO BY VIDEO CONFERENCE GRANTED/REMAINING TRIAL DATES RESET	Sep 20, 2010	
35	P'S MOTION TO QUASH	Sep 09, 2010	
34	P'S OPPOSITION/RESPONSE TO MOTION	Sep 07, 2010	
33	D'S MOTION TO COMPEL DISCOVERY	Aug 27, 2010	
32	EXTENSION OF TIME GRANTED	Jul 22, 2010	
31	STIPULATION FOR AN EXTENSION OF TIME	Jul 22, 2010	
30	ANSWER	Jul 22, 2010	
29	RESPONSE DUE 30 DAYS (DUE DATE)	Jun 23, 2010	Jul 23, 2010
28	CHANGE OF CORRESPONDENCE ADDRESS	Feb 09, 2010	
27	D'S OPPOSITION/RESPONSE TO MOTION	Jan 19, 2010	
26	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Jan 07, 2010	
25	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	Jan 04, 2010	
24	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	Jan 04, 2010	
23	PL'S MOT. FOR SUMM. JUDGMENT DENIED	Dec 29, 2009	
22	P'S REPLY IN SUPPORT OF MOTION	Oct 30, 2009	
21	D'S OPPOSITION/RESPONSE TO MOTION	Oct 15, 2009	
20	AMENDED ANSWER	Sep 14, 2009	
19	SUSPENDED	Aug 17, 2009	
18	D'S REPLY IN SUPPORT OF MOTION	May 26, 2009	
17	P COMMUNICATION	May 08, 2009	
16	P'S OPPOSITION/RESPONSE TO MOTION	May 08, 2009	
15	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	May 01, 2009	

14	D'S RESP2 O'S MSJ-56(F)	Apr 24, 2009	
13	D'S MOTION TO COMPEL DISCOVERY	Apr 24, 2009	
12	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Apr 16, 2009	
11	P'S MOTION FOR AN EXTENSION OF TIME	Apr 13, 2009	
10	P'S MSJ AND M4LV2 AMEND NOO	Apr 11, 2009	
9	Unsigned copy of #10	Apr 11, 2009	
8	TRIAL DATES RESET	Dec 16, 2008	
7	D'S MOTION TO COMPEL DISCOVERY	Dec 11, 2008	
6	EXTENSION OF TIME GRANTED	Aug 06, 2008	
5	STIPULATION FOR AN EXTENSION OF TIME	Aug 06, 2008	
4	ANSWER	Jun 12, 2008	
3	PENDING, INSTITUTED	May 05, 2008	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 05, 2008	Jun 14, 2008
1	FILED AND FEE	May 05, 2008	

Type of Proceeding: Opposition

Proceeding Number: [91183495](#)

Filing Date: Apr 11, 2008

Status: Terminated

Status Date: Jul 07, 2008

Interlocutory Attorney: ANN LINNEHAN VOGLER

Defendant

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Associated marks

Mark	Application Status	Serial Number	Registration Number
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PUNCH IN & OUT [77224114](#)

Plaintiff(s)

Name: In-N-Out Burgers

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Claremont CA UNITED STATES , 91711

Correspondent e-mail: anselaw@verizon.net

Associated marks

Mark	Application Status	Serial Number	Registration Number
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IN-N-OUT		75137201	2285823
IN-N-OUT		73133175	1085163
IN-N-OUT		73738305	1522799
IN-N-OUT		73738306	1525982

Prosecution History

Entry Number	History Text	Date	Due Date
7	TERMINATED	Jul 07, 2008	
6	BD'S DECISION: DISMISSED W/O PREJUDICE	Jul 07, 2008	
5	WITHDRAWAL OF OPPOSITION	Jun 07, 2008	
4	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Apr 15, 2008	
3	PENDING, INSTITUTED	Apr 11, 2008	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 11, 2008	May 21, 2008
1	FILED AND FEE	Apr 11, 2008	

Type of Proceeding: Opposition

Proceeding Number: [91165745](#)

Filing Date: Jul 04, 2005

Status: Terminated

Status Date: Jan 07, 2007

Interlocutory Attorney: ANDREW P BAXLEY

Defendant

Name: The Original Bono's, Inc.

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1301 Riverplace Blvd., Suite 1500
Jacksonville FL UNITED STATES , 32207

Associated marks

Mark	Application Status	Serial Number	Registration Number
PIG OUT OR PIG IN		78411273	

Plaintiff(s)

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Correspondent e-mail: anselaw@verizon.net

Associated marks

Mark	Application Status	Serial Number	Registration Number
IN-N-OUT		73133175	1085163

Prosecution History

Entry Number	History Text	Date	Due Date
33	TERMINATED	Jan 04, 2007	
32	BOARD'S DECISION: SUSTAINED	Jan 04, 2007	
31	WITHDRAWAL OF APPLICATION	Jan 04, 2007	
30	TRIAL DATES RESET	Jan 04, 2007	
29	P'S MOTION TO COMPEL DISCOVERY	Dec 14, 2006	
28	Confidential - P's Mot to Compel	Dec 14, 2006	
27	BOARD'S ORDER OPPOSER'S MOTION FOR A PROTECTIVE ORDER EXTENDING TIME TO RESPOND TO THE MOTION TO COM	Oct 04, 2006	
26	D'S OPPOSITION/RESPONSE TO MOTION	Oct 03, 2006	
25	DEFENDANT'S MOTION TO EXTEND DISCOVERY IS GRANTED TRIAL DATES ARE HEREBY RESET	Sep 21, 2006	
24	OPP'S PROTECTIVE ORDER	Sep 18, 2006	
23	D'S MOTION TO COMPEL DISCOVERY	Sep 08, 2006	
22	STIPULATION FOR AN EXTENSION OF TIME	Sep 08, 2006	
21	APPLICANT'S MOTION TO COMPEL AND EXTEND IS DENIED TRIAL DATES ARE RESET	Jun 13, 2006	
20	RESPONSE TO MOTION TO COMPEL	Jun 10, 2006	
19	SUSPENDED	May 30, 2006	
18	D'S MOTION TO COMPEL DISCOVERY	May 26, 2006	
17	PAPER RECEIVED AT TTAB	May 15, 2006	
16	P'S RESPONSE TO BOARD ORDER/INQUIRY	May 12, 2006	
15	PROC RESUMED, T.D. RESET	Apr 16, 2006	
14	OPP'S REPLY TO APPL'S RESPONSE	Mar 07, 2006	
13	D'S OPPOSITION/RESPONSE TO MOTION	Feb 23, 2006	
12	SUSPENDED	Feb 17, 2006	
11	MOTION TO COMPEL	Feb 04, 2006	
10	PROCEED RESUMED; TRIAL DATE RESET	Dec 02, 2005	
9	OTHER FILING	Oct 24, 2005	

8	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Sep 21, 2005	
7	D'S OPPOSITION/RESPONSE TO MOTION	Sep 19, 2005	
6	MOTION TO AMEND ANSWER/AMENDED ANSWER OR COUNTERCLAIM	Sep 19, 2005	
5	MOTION TO STRIKE RESPONDENT D'S FIRST, THIRD AND FOURTH AFFIRMATIVE DEFENSES	Aug 29, 2005	
4	ANSWER	Aug 11, 2005	
3	PENDING, INSTITUTED	Jul 05, 2005	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 05, 2005	Aug 14, 2005
1	FILED AND FEE	Jul 04, 2005	

Type of Proceeding: Extension of Time

Proceeding Number: [78411273](#)

Filing Date: Mar 18, 2005

Status: Terminated

Status Date: Mar 18, 2005

Interlocutory Attorney:

Defendant

Name: The Original Bono's, Inc.

Correspondent Address: Thomas C. Saitta
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1301 Riverplace Blvd. Suite 1500
Jacksonville FL UNITED STATES , 32207

Associated marks

Mark	Application Status	Serial Number	Registration Number
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PIG OUT OR PIG IN

[78411273](#)

Potential Opposer(s)

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Name: IN-N-OUT BURGERS

Correspondent Address: Edward O. Ansell
Law Office of Edward O. Ansell
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Claremont CA UNITED STATES , 91711

Correspondent e-mail: anselaw@verizon.net

Associated marks

Mark	Application Status	Serial Number	Registration Number
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IN-N-OUT

[73133175](#)

[1085163](#)

Prosecution History

Entry Number	History Text	Date	Due Date
9	TERMINATED	Jul 05, 2005	
8	EXTENSION OF TIME GRANTED	May 06, 2005	
7	INCOMING - EXT TIME TO OPPOSE FILED	May 06, 2005	
6	EXTENSION OF TIME GRANTED	May 05, 2005	
5	INCOMING - EXT TIME TO OPPOSE FILED	May 05, 2005	
4	EXTENSION OF TIME GRANTED	Apr 07, 2005	
3	INCOMING - EXT TIME TO OPPOSE FILED	Apr 07, 2005	
2	EXTENSION OF TIME GRANTED	Mar 18, 2005	
1	INCOMING - EXT TIME TO OPPOSE FILED	Mar 18, 2005	

Int. Cl.: 42

Prior U.S. Cl.: 100

United States Patent Office

Reg. No. 1,085,163
Registered Feb. 7, 1978

SERVICE MARK

Principal Register

IN-N-OUT

In-N-Out Burgers (California corporation)
13502 E. Virginia Ave.
Baldwin Park, Calif. 91706

For: RESTAURANT SERVICES AND CARRY-OUT
RESTAURANT SERVICES, in CLASS 42 (U.S. CL.
100).

First use at least as early as 1949; in commerce at least
as early as 1949.

Owner of Reg. Nos. 1,023,506, 1,031,095, and 1,031,-
096.

Ser. No. 133,175, filed July 7, 1977.

JOHN C. DEMOS, Supervisory Examiner

DEBORAH KRAMM, Examiner